

1 WILLIAM A. ISAACSON (*Pro hac vice*)
2 wisaacson@paulweiss.com
3 JESSICA PHILLIPS (*Pro hac vice*)
4 jphillips@paulweiss.com
5 PAUL, WEISS, RIFKIND, WHARTON &
6 GARRISON LLP
7 2001 K Street, NW
8 Washington, DC 20006

9 DONALD J. CAMPBELL (No. 1216)
10 djc@campbellandwilliams.com
11 J. COLBY WILLIAMS (No. 5549)
12 jcw@campbellandwilliams.com
13 CAMPBELL & WILLIAMS
14 700 South 7th Street
15 Las Vegas, NV 89101

CHRISTOPHER S. YATES (*Pro hac vice*)
chris.yates@lw.com
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111

SEAN M. BERKOWITZ (*Pro hac vice*)
sean.berkowitz@lw.com
LATHAM & WATKINS LLP
330 North Wabash Ave, Suite 2800
Chicago, IL 60611

LAURA WASHINGTON (*Pro hac vice*)
laura.washington@lw.com
LATHAM & WATKINS LLP
10250 Constellation Blvd, Suite 1100
Los Angeles, CA 90067

*Attorneys for Defendant Zuffa, LLC, d/b/a
Ultimate Fighting Championship and UFC*

16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Cung Le, Nathan Quarry, Jon Fitch,
Brandon Vera, Luis Javier Vazquez,
and Kyle Kingsbury on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

Defendant.

Case No.: 2:15-cv-01045-RFB-(BNW)

**DECLARATION OF WILLIAM A.
ISAACSON IN SUPPORT OF
ZUFFA, LLC'S RENEWED
MOTIONS TO EXCLUDE THE
TESTIMONY OF PLAINTIFFS'
EXPERTS DR. HAL J. SINGER, DR.
ANDREW ZIMBALIST, AND GUY
A. DAVIS**

1 I, William A. Isaacson, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia. I am
3 admitted *pro hac vice* to practice before this Court. I am a Partner in the law firm Paul, Weiss,
4 Rifkind, Wharton & Garrison LLP, counsel for Zuffa, LLC (“Zuffa”), in the above-captioned
5 action in the U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-
6 01045-RFB-(BNW).

7 2. I make this declaration in support of Zuffa’s Defendant Zuffa, LLC’s Renewed
8 Motion to Exclude the Testimony of Plaintiffs’ Expert Guy A. Davis, Renewed Motion to Exclude
9 the Testimony of Dr. Andrew Zimbalist, and Renewed Motion To Exclude Certain Opinions of
10 Dr. Hal J. Singer (the “Motions”).

11 3. Based on my review of the files, records, and communications in this case, I have
12 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and
13 would testify competently to those facts under oath.

14 4. Certain documents attached to this Declaration have had red boxes or yellow
15 highlighting added to them. These markings are intended to indicate materials cited in the Motions
16 referenced above. The true and correct copies of materials attached to this Declaration are subject
17 to the addition of those markings. They are otherwise unmodified unless otherwise stated.

18 5. Attached as Exhibit 1 is a true and correct copy of the expert opening report of Guy
19 A. Davis, dated August 31, 2017, redacted to remove personal identifiable information.

20 6. Attached as Exhibit 2 is a true and correct copy of excerpted pages from the
21 transcript of the first deposition of Guy A. Davis, dated September 19, 2017.

22 7. Attached as Exhibit 3 is a true and correct copy of the expert “rebuttal” report of
23 Guy A. Davis, dated January 12, 2018, redacted to remove personal identifiable information.

24 8. Attached as Exhibit 4 is a true and correct copy of excerpted pages from the
25 transcript of the second deposition of Guy A. Davis, dated January 30, 2018.

26 9. Attached as Exhibit 5 is a true and correct copy of the expert opposition report of
27 Zuffa’s expert Elizabeth Kroger Davis, dated October 27, 2017, redacted to remove personal
28

identifiable information.

10. Attached hereto as Exhibit 6 is a true and correct copy of the Expert Report of Andrew Zimbalist dated August 30, 2017, redacted to remove personal identifiable information.

11. Attached hereto as Exhibit 7 is a true and correct copy of excerpts of the first deposition of Andrew Zimbalist dated September 25, 2017.

12. Attached hereto as Exhibit 8 is a true and correct copy of excerpts of Herbert Hovenkamp, *Federal Antitrust Policy* (2nd ed. 1999).

13. Attached hereto as Exhibit 9 is a true and correct copy of the Errata to the Expert Report of Andrew Zimbalist dated September 19, 2017.

14. Attached hereto as Exhibit 10 is a true and correct copy of the Expert Rebuttal Report of Andrew Zimbalist dated December 26, 2017.

15. Attached hereto as Exhibit 11 is a true and correct copy of excerpts of Daniel Rubinfeld, *Research Handbook on the Economics of Antitrust Law* dated November 21, 2009.

16. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of Phillip Areeda, Herbert Hovenkamp, Roger D. Blair, & Christine Plette Durrance, *Antitrust Law* (4th ed. 2014), Volume IIA.

17. Attached hereto as Exhibit 13 is a true and correct copy of the Expert Report of Roger D. Blair dated November 15, 2017, redacted to remove personal identifiable information.

18. Attached hereto as Exhibit 14 is a true and correct copy of excerpts of the second deposition of Andrew Zimbalist dated January 26, 2018.

19. Attached hereto as Exhibit 15 is a true and correct copy of Andrew Zimbalist, *There's more than meets the eye in determining players' salary shares*, Sports Business Journal, dated March 10, 2008.

20. Attached hereto as Exhibit 16 is a true and correct copy of GBP000001 (Golden Boy Promotions Profit & Loss - 2015).

21. Attached hereto as Exhibit 17 is a true and correct copy of GBP000002 (Golden Boy Promotions Profit & Loss - 2016).

1 22. Attached hereto as Exhibit 18 is a true and correct copy of Exhibit 3 to the
2 Sbardellati Declaration filed in support of Defendants' Motion in Limine to Exclude Testimony of
3 Gene Deetz in *Golden Boy Promotions LLC v. Haymon*, Case No. 15-cv-3378, ECF No. 322-14
4 (Jan. 6, 2017), identified as backup to Table 2 in the Expert Report of Andrew Zimbalist and Table
5 2-E in the Errata to the Expert Report of Andrew Zimbalist.

6 23. Attached hereto as Exhibit 19 is a true and correct copy of an Order, ECF No. 457,
7 issued in *In re Google Play Store Antitrust Litigation*, No. 20-cv-5761 (N.D. Cal.), on September
8 13, 2023.

9 24. Attached hereto as Exhibit 20 is a true and correct copy of an April 24, 2023 Letter
10 issued by the United States Supreme Court.

11 25. Attached hereto as Exhibit 21 is a true and correct copy of the Expert Report of
12 Robert H. Topel, dated October 27, 2017.

13 26. Attached hereto as Exhibit 22 is a true and correct copy of Robert H. Topel's Reply
14 to the Supplemental Expert Report of Hal J. Singer, dated May 7, 2018.

15 27. Attached hereto as Exhibit 23 is a true and correct copy of the Expert Report of
16 Paul Oyer, dated October 27, 2017.

17 28. Attached hereto as Exhibit 24 is a true and correct copy of the Expert Report of Hal
18 J. Singer, dated Aug. 31, 2017. This exhibit has redactions due to the clawback of the redacted
19 information by non-party Deutsche Bank on the basis of privilege. *See* ECF No. 727.

20 29. Attached hereto as Exhibit 25 is a true and correct copy of the Supplemental Expert
21 Report of Hal J. Singer, dated April 3, 2018.

22 30. Attached hereto as Exhibit 26 is a true and correct copy of excerpts of the first
23 deposition of Hal J. Singer, dated September 27, 2017.

24 31. Attached hereto as Exhibit 27 is a true and correct copy of the Declaration of
25 Gregory K. Leonard, dated December 1, 2023.

26 32. Attached hereto as Exhibit 28 is a true and correct copy of online search results of
27 SCImago Journal & Country Rank,
28

1 <https://www.scimagojr.com/journalsearch.php?q=journal+of+business+and+economics> (last
2 visited November 30, 2023).

3 33. Attached hereto as Exhibit 29 is a true and correct copy of WorldCat's online
4 library-listing search results for the Journal of Business and Economics (last visited Dec. 1,
5 2023), <https://search.worldcat.org/title/953673111>.

6 34. Attached hereto as Exhibit 30 is a true and correct copy of the FAQ section of the
7 Academic Star Publishing webpage (last visited Nov. 30, 2023),
8 <http://www.academicstar.us/ArticleShow.asp?ArtID=378>.

9
10 I declare under penalty of perjury under the laws of the United States of America that the
11 foregoing facts are true and correct. Executed this 8th day of December 2023 in Washington, D.C.

12
13 /s/ William A. Isaacson

14 William A. Isaacson
15
16
17
18
19
20
21
22
23
24
25
26
27
28